

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **Marilyn Froling Revocable Living Trust v Valley-Mor Homeowners Assn**  
Docket No. **268044**  
L.C. No. **2004-062436-CZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal from the December 5, 2005 order granting summary disposition is DISMISSED for lack of jurisdiction since appellant failed to file the claim within 21 days of the order's entry. MCR 7.202(6)(a)(i), 7.203(A)(1), and 7.204(A)(1)(a). The time to file a claim of appeal is not tolled by the filing of a motion for mediation or other sanctions. *Baitinger v Brisson*, 230 Mich App 112, 116; 583 NW2d 481 (1998). If appellant still wants to challenge this order, it must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(5).

The claim of appeal from the January 25, 2006 order awarding offer of judgment sanctions, however, may still go forward as this Court has an independent grant of jurisdiction to hear an appeal from this order. MCR 7.202(6)(a)(iv) and 7.203(A)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 16 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk